

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARLES LEFFERT

Plaintiff,

v.

WALMART INC.,

Defendant.

CIVIL ACTION
NO. 23-2815

ORDER

AND NOW, this 20th day of December 2023, upon consideration of Walmart's Motion to Dismiss (ECF 6), Leffert's Response (ECF 7), and Walmart's Reply (ECF 8), it is hereby **ORDERED** that Defendants' Motion is **DENIED** with respect to Counts I and II and **GRANTED** with respect to all remaining counts. Counts III, IV, V, VI and VII are **DISMISSED** without prejudice. Leffert may amend his complaint, consistent with the Court's Memorandum, **on or before January 10, 2024**.

BY THE COURT:

/s/ Gerald J. Pappert

GERALD J. PAPPERT, J.